

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**CURTIS A. SMITH,**

**Plaintiff,**

**v.**

**ILLINOIS ASSOCIATION OF  
SCHOOL BOARDS, et al.,**

**Defendants.**

**No.: 3-10-cv-00242-DRH-CJP**

**ORDER**

**HERNDON, Chief Judge:**

The matter comes before the Court for case management. On June 23, 2011, the Illinois Association of School Boards filed its motion and memorandum in support of summary judgment (Docs. 82 & 83). The memorandum in support of summary judgment is 20 pages in length. In addition to the motion and memorandum, the Illinois Association of School Boards filed F.R.C.P. 56(b) and L.R.7.1(d) statement of facts in support of defendant's motion for summary judgment (Docs. 84 & 85). They cannot exist in isolation. This district no longer recognizes a listing of undisputed facts. The facts in support are a combined 26 pages single-spaced typewritten.

Clearly, the Illinois Association of School Boards' memorandum in support of summary judgment combined with the facts in support of summary judgment violate the Local Rules. Local Rule 7.1(d) provides in part:

All briefs shall contain a short, concise statement of the party's position, together with citations to relevant legal authority and to the record. Allegations of fact not support by citation may, in the Court's discretion,

not be considered. No brief shall be submitted which is longer than 20 double-spaced typewritten pages in 12 point font. Reply briefs shall not exceed 5 pages. Requests for additional pages are not allowed.

Thus, the Court **STRIKES** the Illinois Association of School Boards' memorandum in support of summary judgment and the statement of facts in support of summary judgment (Docs. 83, 84 & 85). The Court **ALLOWS** the Illinois Association of School Boards up to and including July 5, 2011 to file a memorandum in support of summary judgment that comports with the Local Rules. Lastly, the Court **DENIES as moot** Highland Community Unit School District No. 5's motion to adopt 84 and 85 pursuant to F.R.C.P. 10 (Doc. 88); plaintiff's motion to strike defendant Illinois Association of School Boards' motion for summary judgment (Doc. 90) and plaintiff's motion to strike defendant Highland Community Unit School District No. 5's motion for summary judgment (Doc. 91).

**IT IS SO ORDERED.**

Signed this 28th day of June, 2011.

*David R. Herndon*



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David R. Herndon  
Date: 2011.06.28  
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**Chief Judge  
United States District Court**